

**Notice of Allowability**

Application No.

10/020,723

Applicant(s)

MERRITT ET AL.

Examiner

Art Unit

Fred Ferris

2128

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 28 June 2006.
2. ☒ The allowed claim(s) is/are 1-7, 9-17, 19-27, 29-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
FRED FERRIS  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 2100

### **DETAILED ACTION**

1. *Claims 1-30 have been presented for examination based on applicant's amendment filed 28 June 2006. By this amendment, applicants have now cancelled claims 8, 18, and 28. Amended claims 1-7, 9-17, 19-27 and 29-30 remain pending in this application and have now been allowed over the prior art of record.*

### **Response to Arguments**

2. *Applicant's arguments filed 28 June 2006, with respect to independent claims 1, 11, and 21 have been fully considered and are persuasive. The previous 103(a) rejection has been withdrawn in view of the amendment to the claims and supporting arguments filed 28 June 2006.*

### **Allowable Subject Matter**

3. *Claims 1-7, 9-17, 19-27 and 29-30 are allowed:*

*The following is an examiner's statement of reasons for allowance:*

*In the instant case the prior art of record does not disclose the specific sequence of steps and combination of apparatus elements relating to executing a transaction by identifying tasks and storage resources for completing transactions, defining groups of virtual processors and transaction groups having access to storage resources, assigning tasks and groups including virtual processors having access, and subsequently completing the tasks via virtual processors assigned to the transaction group as now required by amended claims 1, 11, and 21. Dependent claims 2-7, 9-10,*

*12-17, 19-20, 22-27, and 28-30 are deemed allowable as depending either directly or indirectly from independent claims 1, 11, or 21.*

*The closest prior art of record teaches certain elements of the claimed invention as follows:*

*- U.S. Patent Application 2003/0037185 issued to Davis: discloses defining interconnecting nodes in terms of storage resources in parallel processing (multiprocessor) computing systems inclusive of mapping virtual resources as node sets, node group mappings including replacement nodes, and system and I/O resource requirements. However, Davis does not explicitly disclose the specific sequence of steps and combination of apparatus elements relating to executing a transaction by identifying tasks and storage resources for completing transactions, defining groups of virtual processors and transaction groups having access to storage resources, assigning tasks and groups including virtual processors having access, and subsequently completing the tasks via virtual processors assigned to the transaction group as now required by amended claims 1, 11, and 21.*

*- U.S. Patent 6,934,755 issued to Saulpaugh et al: teaches defining interconnecting nodes that represent virtual processors (machine) in a parallel computing system inclusive of executing transactions based on groups relating data storage (database) facilities (resources) in a distributed parallel processing system and the simultaneous execution of the related transactions over the parallel system. However, Saulpaugh does not explicitly disclose the specific sequence of steps and combination of apparatus elements relating to executing a transaction by identifying*

*tasks and storage resources for completing transactions, defining groups of virtual processors and transaction groups having access to storage resources, assigning tasks and groups including virtual processors having access, and subsequently completing the tasks via virtual processors assigned to the transaction group as now required by amended claims 1, 11, and 21.*

*Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."*

#### **Conclusion**

*4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Ferris whose telephone number is 571-272-3778 and whose normal working hours are 8:30am to 5:00pm Monday to Friday. Any inquiry of a general nature relating to the status of this application should be directed to the group receptionist whose telephone number is 571-272-3700. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached at 571-272-3780. The Official Fax Number is: (703) 872-9306*

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